



EDMUND G. BROWN JR.  
GOVERNOR



MATTHEW RODRIGUEZ  
SECRETARY FOR  
ENVIRONMENTAL PROTECTION

## State Water Resources Control Board

Division of Drinking Water

March 23, 2016

System No. 4800596

Ms. Lori Elder, Manager EH&S  
UTC Aerospace Systems  
P. O. Box KK  
Fairfield, CA 94533-0659

### COMPLIANCE ORDER NO: 02\_04\_16R\_001 FOR EXCEEDING THE ARSENIC MCL

Dear Ms. Elder:

Enclosed is a compliance order issued to the UTC Aerospace Systems water system for failure to comply with requirements of Section 116655(a)(1), *California Health and Safety Code*, and Section 64431, Chapter 15, Title 22, California Code of Regulations. Specifically, UTC Aerospace exceeded the arsenic maximum contaminant level (MCL) of 0.010 mg/L at Well 01.

If you have any questions regarding this matter, please contact Marco Pacheco at (510) 620-3467.

Sincerely,

A handwritten signature in black ink that reads "R. Brownwood".

Robert Brownwood, P.E.  
San Francisco District Engineer  
Division of Drinking Water

Certified Mail Receipt # 7014 3490 0001 7031 0963

Enclosures: Compliance Order No. 02\_04\_16R\_001 (w/ attachments)

cc: Terry Schmidtbauer, Solano County Environmental Health Department

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CALIFORNIA  
STATE WATER RESOURCES CONTROL BOARD  
DIVISION OF DRINKING WATER

TO: UTC AEROSPACE SYSTEMS  
Attention: Lori Elder, Manager EH&S  
P.O. Box KK  
Fairfield, CA 94533-0659

COMPLIANCE ORDER NO: 02\_04\_16R\_001  
FOR  
VIOLATION OF HEALTH AND SAFETY CODE SECTION 116555 (a) (1) &  
TITLE 22 CALIFORNIA CODE OF REGULATIONS  
CHAPTER 15, ARTICLE 4, SECTION 64431  
PRIMARY DRINKING WATER STANDARD FOR ARSENIC

Dated March 23, 2016

The State Water Resources Control Board (Board), acting by and through its Division of Drinking Water (Division) and the Deputy Director for the Division (Deputy Director), hereby issues this compliance order (Order) pursuant to Section 116655 of the California Health and Safety Code (CHSC) to the UTC Aerospace Systems (UTCAS) for violation of CHSC Section 116555(a)(1) and Title 22, California Code of Regulations (CCR), Section 64431.

1 APPLICABLE AUTHORITIES

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4 CHSC, Section 116555(a)(1) states in relevant part:

5 (a) Any person who owns a public water system shall ensure that the system does  
6 all of the following:

7 (1) Complies with primary and secondary drinking water standards.

8 CHSC, Section 116655 states in relevant part:

9 (a) Whenever the department determines that any person has violated or is violating  
10 this chapter, or any permit, regulation, or standard issued or adopted pursuant to  
11 this chapter, the director may issue an order doing any of the following:

12 (1) Directing compliance forthwith.

13 (2) Directing compliance in accordance with a time schedule set by the  
14 department.

15 (3) Directing that appropriate preventive action be taken in the case of a  
16 threatened violation.

17 (b) An order issued pursuant to this section may include, but shall not be limited to,  
18 any or all of the following requirements:

19 (1) That the existing plant, works, or system be repaired, altered, or added to.

20 (2) That purification or treatment works be installed.

21 (3) That the source of the water supply be changed.

22 (4) That no additional service connection be made to the system.

23 (5) That the water supply, the plant, or the system be monitored.

24 (6) That a report on the condition and operation of the plant, works, system, or  
25 water supply be submitted to the department.

26

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1 Title 22, CCR, Section 64431 states in relevant part:

2 Public water systems shall comply with the primary MCL in Table 64431-A as specified  
3 in this article.

4  
5 Table 64431-A  
Maximum Contaminant Level for  
Arsenic

6

<i>Chemical</i>	<i>Maximum Contaminant Level, mg/L</i>
Arsenic	0.010

7

8  
9 Section 64432 Title 22, CCR states in relevant part:

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11 (g) If the level of any inorganic chemical, except for nitrate and nitrite, nitrate plus nitrite,  
12 or perchlorate, exceeds the MCL, the water supplier shall do one of the following:

13 (1) Inform the Department within 48 hours and monitor quarterly beginning in the  
14 next quarter after the exceedance occurred; or

15  
16 (2) Inform the Department within seven days from the receipt of the analysis and,  
17 as confirmation, collect one additional sample within 14 days from receipt of the  
18 analysis. If the average of the two samples collected exceeds the MCL, this  
19 information shall be reported to the Department within 48 hours and the water  
20 supplier shall monitor quarterly beginning in the next quarter after the  
exceedance occurred.

21 (i) Compliance with the MCLs shall be determined by a running annual average; if any  
22 one sample would cause the annual average to exceed the MCL, the system is  
23 immediately in violation. If a system takes more than one sample in a quarter, the  
24 average of all the results for that quarter shall be used when calculating the running  
25 annual average. If a system fails to complete four consecutive quarters of  
26 monitoring, the running annual average shall be based on an average of the  
available data.

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1 STATEMENT OF FACTS

2 UTCAS is a privately owned public water system located in Solano County that supplies  
3 water for domestic purposes to approximately 250 non-transient customers. UTCAS  
4 operates under Domestic Water Supply Permit No. 02-04-01P-4800596. UTCAS is  
5 classified as a nontransient-noncommunity public water system as defined in CHSC,  
6 Section 116275.

7 UTCAS utilizes one groundwater well, known as Well 01. The well was drilled in 1975  
8 to a depth of 200 feet below grade (fbg). Well 01 has a total of 50 feet of perforated  
9 PVC casing at five separate intervals, and a cement grout annular seal extending to a  
10 depth of 20 fbg. The well discharges into two 25,000 gallon stainless steel storage  
11 tanks.

12 Samples from Well 01 (Primary Station Code: 4800596-001) were collected and  
13 analyzed for arsenic during the fourth quarter 2015 and first quarter 2016. A summary of  
14 monitoring results is presented in Table 1 below. All results are as reported to the  
15 Division by the laboratory that performed the analysis.

16 *Table 1: Arsenic Monitoring Results (µg/L)*

17 Source	Triennial Sample (11/10/2015)	Confirmation sample	Q1-2016 Sample (01/05/2016)	Running Annual Average
18 Well 01	35	None Taken	32	(35 + 32)/4 = 16.75

19  
20 The fourth quarter 2015 and first quarter 2016, calculated as a sum and averaged over  
21 a four quarter period resulted in immediate exceedance of the arsenic MCL of 10 µg/L  
22 for Well 01.  
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1 DETERMINATIONS

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3 Based on the above Statement of Facts, the Division has determined that UTCAS has  
4 violated CHSC, Section 116555 and Section 64431 in that the water produced by Well  
5 01 exceeds the arsenic MCL as shown in Table 1 above.

6 DIRECTIVES

7  
8 UTCAS is hereby directed to take the following actions:

- 9  
10  
11 1. On or before March 15, 2019, comply with Title 22, CCR, Section 64431 and  
12 remain in compliance.
- 13 2. On or before May 1, 2016, submit a written response to the Division indicating  
14 agreement to comply with the directives of this Order and with the Corrective  
15 Action Plan addressed herein.
- 16 3. Commencing on the date of service of this Order, provide quarterly public  
17 notification of UTC Aerospace Systems' failure to meet the arsenic MCL during  
18 any calendar quarter the four quarter running annual average exceeds the MCL.  
19 The public notification must be submitted to the Division prior to distribution.
- 20 4. Commencing on the date of the service of this Order, submit proof of each public  
21 notification conducted in compliance with Directive No. 3, herein above, within  
22 ten (10) days following each such notification, using the form provided as  
23 Attachment A, hereto.
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5. Prepare a Compliance Plan for Division approval that identifies improvements designed to correct the water quality problem (violation of arsenic MCL) and ensure that UTC Aerospace Systems delivers water to consumers that meets primary drinking water standards. The plan shall include a time schedule for completion of each of the phases of the project such as design, construction, and startup, and a date as of which UTCAS will be in compliance with the arsenic MCL at Well 01, which shall be no later than April 1, 2019.
6. The Compliance Plan shall be submitted to the Division for review and approval by July 1, 2016 at the Division's office located at 850 Marina Bay Parkway, Bldg. P., 2<sup>nd</sup> Floor, Richmond, CA 94804.
7. Complete the Division-approved Corrective Action Plan and each and every element of said plan according to the time schedule set forth therein.
8. Commencing on the date of service of this Order, collect quarterly samples for arsenic from Well 01, as required by Section 64432(g), and ensure that the analytical results are reported to the Division electronically by the analyzing laboratory no later than the 10<sup>th</sup> day following the month in which the analysis was completed.
9. On or before October 10, 2016, and every three months thereafter, submit a report to the Division in the form provided as Attachment B hereto, showing actions taken during the previous three calendar months to comply with the Corrective Action Plan.
10. Not later than ten (10) days following the date of compliance with the arsenic MCL, demonstrate to the Division that the water delivered by UTC Aerospace Systems complies with the arsenic MCL.
11. Notify the Division in writing no later than five (5) days prior to the deadline for performance of any Directive set forth herein if UTC Aerospace Systems anticipates it will not meet the performance deadline.

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1 All submittals required by this Order shall be addressed to:

2  
3 Robert Brownwood, P.E., Senior Sanitary Engineer  
4 State Water Resources Control Board  
5 Division of Drinking Water, San Francisco District  
6 850 Marina Bay Parkway, Bldg. P., 2<sup>nd</sup> Floor  
7 Richmond, CA 94804

8 As used in this Order, the date of issuance shall be the date of this Order; and the date  
9 of service shall be the date of service of this Order, personal or by certified mail, on UTC  
10 Aerospace Systems or its owner of record.

11 The Division reserves the right to make such modifications to this Order and/or to issue  
12 such further order(s) as it may deem necessary to protect public health and safety.  
13 Such modifications may be issued as amendments to this Order and shall be deemed  
14 effective upon issuance.

15 Nothing in this Order relieves the UTC Aerospace Systems of its obligation to meet the  
16 requirements of the California SDWA, or any regulation, standard, permit or order  
17 issued thereunder.

18 **PARTIES BOUND**

19 This Order shall apply to and be binding upon UTC Aerospace Systems, its owners,  
20 shareholders, officers, directors, agents, employees, contractors, successors, and  
21 assignees.

22 **SEVERABILITY**

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24 The Directives of this Order are severable, and UTC Aerospace Systems and its owner  
25 of record shall comply with each and every provision hereof, notwithstanding the  
26 effectiveness of any other provision.

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1 FURTHER ENFORCEMENT ACTION

2  
3 The California SDWA authorizes the Board to: issue a citation with assessment of  
4 administrative penalties to a public water system for violation or continued violation of  
5 the requirements of the California SDWA or any regulation, permit, standard, citation, or  
6 order issued or adopted thereunder including, but not limited to, failure to correct a  
7 violation identified in a citation or compliance order. The California SDWA also  
8 authorizes the Board to take action to suspend or revoke a permit that has been issued  
9 to a public water system if the public system has violated applicable law or regulations  
10 or has failed to comply with an order of the Board; and to petition the superior court to  
11 take various enforcement measures against a public water system that has failed to  
12 comply with an order of the Board. The Board does not waive any further enforcement  
13 action by issuance of this Order.

13 March 23, 2016

14 Date

13 Stefan Cajina  
14 Stefan Cajina, P.E., Chief

15 North Coastal Section

16 State Water Resources Control Board

17 Division of Drinking Water



22 Certified Mail No. 7014 3490 0001 7031 0963

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24 cc: Solano County Environmental Health Department (w/o attachments)

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